

III. Remarks**(i) Response To Restriction Requirement**

In the Office Action, the Examiner issued a Restriction Requirement, and stated that restriction to one of the following inventions is required:

Group I: Claims 1-16, 20-45, drawn to method of treating allergic rhinitis and chronic idiopathic urticaria comprising administering loratadine transdermally, and a transdermal delivery device containing loratadine classified in class 424, subclass 449.

Group II: Claims 17-19, drawn to method of lessening the incidence of side effects in a patient associated with oral administration of loratadine, classified in class 424, subclass 449.

In response, Applicants hereby elect, without traverse, Group I, claims 1-16, 20-45, drawn to method of treating allergic rhinitis and chronic idiopathic urticaria comprising administering loratadine transdermally, and a transdermal delivery device containing loratadine classified in class 424, subclass 449.

(ii) Response to Election Requirement

In response to the election of species requirement under 35 U.S.C. 121, Applicants hereby elect without traverse the following patentably distinct species of the claimed invention:

dosing interval: at least a 3-day dosing interval

the backing layer material: flexible material 4.33

polymer: silicone

d 3 5

34

This Response is being submitted within 2 (two) months from the mailing date of the Office Action, thus a 1 (one) month extension fee of **\$110.00** is enclosed. If it is determined that any additional fees are due or if any fees have been overpaid, the Commissioner is specifically authorized to charge said fee to Deposit Account No. 50-0552.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: _____


Robert J. Paradiso
Reg. No. 41,240

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th floor
New York, New York 10018
(212) 736-1940